

REMARKS

Claims 1-25 are now pending in the application. Claims 15 and 24 are amended as suggested by the Examiner. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

CLAIM REJECTIONS UNDER 35 U.S.C. § 101

Claim 25 stands rejected for reciting non-statutory subject matter. This rejection is respectfully traversed.

The Examiner suggests specifying in the claim that the carrier wave is to be processed by a computer. Applicants have complied by amending the claims as suggested by the Examiner.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 25 on these grounds.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102

Claims 1-9, 11-14, 19-21, 23, and 25 stand rejected under 35 U.S.C. § 102(b) as anticipated by Wu et al.. This rejection is respectfully traversed.

Applicants respectfully direct the Examiner's attention to Declarations signed by inventor applicant Heather Yu and SPIE's Eric Pepper. These Declarations substantiate that Wu et al. does not qualify as a reference under 35 U.S.C. § 102(b) because its actual publication date is December, 1999. These Declarations also provide the explanations required by the Examiner in the outstanding Office action. Therefore, Applicant's believe that Wu et al. does not qualify as a reference under 35 U.S.C. § 102(b), and that the rejection on these grounds is therefore rendered moot.

Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claims 1-9, 11-14, 19-21, 23, and 25 under 35 U.S.C. § 102(b).

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

Claims 10, 15-18, 22, and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wu et al. in view of Chan. This rejection is respectfully traversed.

Applicants respectfully direct the Examiner's attention to Declarations signed by inventor applicant Heather Yu and SPIE's Eric Pepper. These Declarations substantiate that Wu et al. does not qualify as a reference under 35 U.S.C. § 102(b) because its actual publication date is December, 1999. These Declarations also provide the explanations required by the Examiner in the outstanding Office action. Therefore, Applicant's believe that Wu et al. does not qualify as a reference under 35 U.S.C. § 102(b), and that the rejection on these grounds is therefore rendered moot.

Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claims 10, 15-18, 22, and 24 under 35 U.S.C. § 103(a).

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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